

STATE OF MICHIGAN
CIRCUIT COURT FOR THE 30TH JUDICIAL CIRCUIT
INGHAM COUNTY

COMMISSIONER OF INSURANCE
FOR THE STATE OF MICHIGAN,
Petitioner,

File No. 98-88265-CR

v

Hon. James R. Giddings

MICHIGAN HEALTH MAINTENANCE
ORGANIZATION PLANS, INC., a
Michigan health maintenance organization,
doing business as OmniCare Health Plan,
Respondent.

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ORDER REGARDING CLAIM PRIORITIES

At as session of said Court, held in the Courtroom thereof, in the
City of Lansing, County of Ingham, State of Michigan, this

Dec 14, 2005

PRESENT: HON. _____
CIRCUIT COURT JUDGE

This matter having come before the Court on the Court's May 12, 2005, Corrected and
Amended Order Setting Briefing Schedule and Establishing Notice Procedure with Respect to the
Issue of the Priority of Provider Claims, Briefs having been filed and the Court having heard oral
argument and being otherwise fully advised in the premises:

IT IS HEREBY ORDERED that administrative or other expenses that were incurred during

the Rehabilitation period that preceded entry of the Liquidation Order on October 28, 2004, are not Class 1 expenses in these Liquidation proceedings, but are prioritized for payment consistent with the provisions of MCL 500.8142(1)(b)-(i).

IT IS FURTHER ORDERED that, except with respect to the Detroit Medical Center's Proof of Claim alleging *inter alia* breach of contract and misrepresentation, which is addressed in a separate order, the claims of medical providers for medical services and equipment provided to members of Michigan Health Maintenance Organization Plans, Inc. ("Michigan HMO"), formerly known as OmniCare Health Plan, Inc. ("OmniCare"), to the extent otherwise determined to be valid, are Class 2 claims consistent with MCL 500.8142(1)(b).

IT IS FURTHER ORDERED that the claim of the Centers for Medicare and Medicaid Services, to the extent it is otherwise determined to be valid, is a Class 2 claim consistent with MCL 500.8142(1)(b).

IT IS FURTHER ORDERED that the claim of United American Health Care, Inc. ("United American"), to the extent it is otherwise determined to be valid – including a determination whether United American's claim was properly perfected, is a Class 5 (general creditor) claim, consistent with MCL 500.8142(1)(e).

IT IS FURTHER ORDERED that the claim of the Michigan Department of Community Health, to the extent it is otherwise determined to be valid, is a Class 6 (state government) claim, consistent with MCL 500.8142(1)(f).

IT IS FURTHER ORDERED that the claim of the Michigan Attorney General's Office, to the extent it is otherwise determined to be valid, is a Class 1 (administrative expense) claim for all services provided on or after October 28, 2004, and is a Class 6 (state government) claim for all

services provided before October 28, 2004, consistent with MCL 500.8142(1)(a) and (e).

IT IS FURTHER ORDERED that, the Court having determined there is no just reason for delay, this is a final order pursuant to MCR 2.604(B).

JAMES R. GIDDINGS
CIRCUIT COURT JUDGE

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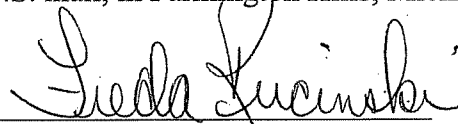
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